

**U.S. District Court [LIVE]
Western District of Texas (El Paso)
CIVIL DOCKET FOR CASE #: 3:19-cv-00279-DCG**

Moore v. U.S. Immigration and Customs Enforcement, et al.
Assigned to: Judge David C Guaderrama
Cause: 05:552 Freedom of Information Act

Date Filed: 10/01/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Robert Moore

represented by **Christopher Benoit**
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V.

Defendant

**U.S. Immigration and Customs
Enforcement**

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Defendant

U.S. Customs and Border Protection

represented by **Manuel Romero**
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LEAD ATTORNEY
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Defendant

**U.S. Department of Health and Human
Services**

represented by **Manuel Romero**
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Date Filed	#	Docket Text
10/01/2019	<u>1</u>	COMPLAINT (Filing fee \$ 400 receipt number 0542-12674340). No Summons requested at this time, filed by Robert Moore.(Coyle, Lynn) (Entered: 10/01/2019)
10/01/2019	<u>2</u>	JS44 (Civil Cover Sheet) submitted by Robert Moore. (Coyle, Lynn) (Entered: 10/01/2019)

10/01/2019		Case assigned to Judge David C Guaderrama. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (scf) (Entered: 10/02/2019)
10/01/2019		If ordered by the court, all referrals will be assigned to Magistrate Judge Schydlower (scf) (Entered: 10/02/2019)
10/01/2019		https://www.txwd.uscourts.gov/judges-information/standing-orders/index.html (scf) (Entered: 10/02/2019)
10/02/2019	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS by Robert Moore. (Coyle, Lynn) (Entered: 10/02/2019)
10/03/2019	<u>4</u>	Summons Issued as to U.S. Immigration and Customs Enforcement. (em) (Entered: 10/03/2019)
10/03/2019	<u>5</u>	Summons Issued as to U.S. Immigration and Customs Enforcement, C/O. Office of the General Counsel (em) (Entered: 10/03/2019)
10/03/2019	<u>6</u>	Summons Issued as to U.S. Immigration and Customs Enforcement, c/o Attorney General, Washington, D.C. (em) (Entered: 10/04/2019)
10/03/2019	<u>7</u>	Summons Issued as to U.S. Customs and Border Protection, c/o. Ms. Stephanie Rico Civil Process Clerk (em) (Entered: 10/04/2019)
10/03/2019	<u>8</u>	Summons Issued as to U.S. Customs and Border Protection, c/o Office of the General Counsel, Washington, DC. (em) (Entered: 10/04/2019)
10/03/2019	<u>9</u>	Summons Issued as to U.S. Customs and Border Protection, c/o Attorney General of the United States. (em) (Entered: 10/04/2019)
10/03/2019	<u>10</u>	Summons Issued as to U.S. Department of Health and Human Services, c/o Ms. Stephanie Rico Civil Process Clerk. (em) (Entered: 10/04/2019)
10/03/2019	<u>11</u>	Summons Issued as to U.S. Department of Health and Human Services, c/o General Counsel, Washington, DC. (em) (Entered: 10/04/2019)
10/03/2019	<u>12</u>	Summons Issued as to U.S. Department of Health and Human Services, Attorney General of the United States, C/O Attorney General of the United States, Washington, DC. (em) (Entered: 10/04/2019)
10/10/2019	<u>13</u>	SUMMONS Returned Executed by Robert Moore. U.S. Customs and Border Protection served on 10/7/2019, answer due 12/6/2019; U.S. Department of Health and Human Services served on 10/7/2019, answer due 12/6/2019. (Coyle, Lynn) (Entered: 10/10/2019)
10/11/2019	<u>14</u>	SUMMONS Returned Executed by Robert Moore. U.S. Immigration and Customs Enforcement served on 10/8/2019, answer due 12/9/2019. (Coyle, Lynn) (Entered: 10/11/2019)
11/06/2019	<u>15</u>	<i>Defendants'</i> ANSWER to <u>1</u> Complaint by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement.(Romero, Manuel) (Entered: 11/06/2019)
11/18/2019	<u>16</u>	Order Proposed Scheduling Order. Proposed scheduling order due to the Court by 12/18/2019. Signed by Judge David C Guaderrama. (em) (Entered: 11/18/2019)
12/04/2019	<u>17</u>	SUMMONS Returned Executed by Robert Moore. U.S. Immigration and Customs Enforcement served on 10/7/2019, answer due 12/9/2019. (Coyle, Lynn) (Entered: 12/04/2019)
12/04/2019	<u>18</u>	SUMMONS Returned Executed by Robert Moore. (Coyle, Lynn) (Entered: 12/04/2019)
12/04/2019	<u>19</u>	SUMMONS Returned Executed by Robert Moore. U.S. Customs and Border Protection served on 10/8/2019, answer due 12/9/2019. (Coyle, Lynn) (Entered: 12/04/2019)

12/04/2019	<u>20</u>	SUMMONS Returned Executed by Robert Moore. (Coyle, Lynn) (Entered: 12/04/2019)
12/04/2019	<u>21</u>	SUMMONS Returned Executed by Robert Moore. (Coyle, Lynn) (Entered: 12/04/2019)
12/04/2019	<u>22</u>	SUMMONS Returned Executed by Robert Moore. U.S. Department of Health and Human Services served on 10/9/2019, answer due 12/9/2019. (Coyle, Lynn) (Entered: 12/04/2019)
12/17/2019	<u>23</u>	Proposed Scheduling Order by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 12/17/2019)
12/17/2019	<u>24</u>	Scheduling Recommendations <i>Joint Report</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 12/17/2019)
12/18/2019	<u>25</u>	SCHEDULING ORDER: Bench Trial set for 12/7/2020 09:00 AM before Judge David C Guaderrama, Pretrial Conference set for 11/30/2020 02:00 PM before Judge David C Guaderrama, Amended Pleadings due by 3/17/2020, Discovery due by 6/29/2020, Joinder of Parties due by 3/17/2020, Dispositive Motions due by 8/28/2020,. Signed by Judge David C Guaderrama. (mc4) (Entered: 12/18/2019)
12/18/2019	<u>26</u>	MOTION for Judgment on the Pleadings by Robert Moore. (Attachments: # <u>1</u> Proposed Order)(Coyle, Lynn) (Entered: 12/18/2019)
12/27/2019	<u>27</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION for Judgment on the Pleadings by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 12/27/2019)
12/30/2019		Text Order GRANTING <u>27</u> UNOPPOSED Motion for Extension of Time to File Response/Reply entered by Judge David C Guaderrama. (This is a text-only entry generated by the court. There is no document associated with this entry.) (pc) (Entered: 12/30/2019)
01/09/2020	<u>28</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION for Judgment on the Pleadings <i>Defendant's Second Unopposed Motion for Extension of time</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 01/09/2020)
01/10/2020		Text Order GRANTING <u>28</u> Motion for Extension of Time to File Response/Reply entered by Judge David C Guaderrama. (This is a text-only entry generated by the court. There is no document associated with this entry.) (pc) (Entered: 01/10/2020)
01/17/2020	<u>29</u>	ADR Report Filed – <i>Joint</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement(Romero, Manuel) (Entered: 01/17/2020)
01/17/2020	<u>30</u>	Unopposed MOTION to Stay <i>Deadline for Defendants' to Respond to Plaintiff's Motion for Judgment on the Pleadings and Defendants' Status Report</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 01/17/2020)
01/21/2020	<u>31</u>	ORDER GRANTING <u>30</u> Motion to Stay; IT IS THEREFORE ORDERED that Defendants' deadline to respond to Plaintiff's "Motion for Judgment on the Pleadings" (ECF No. 26) is STAYED until further order from the Court; IT IS FINALLY ORDERED that Defendants SHALL file written status reports relating to their production of records to Plaintiff on February 24, 2020, April 3,2020, and every thirty(30) days thereafter. Further directives incorporated in this Order. Signed by Judge David C Guaderrama. (em) (Entered: 01/21/2020)
02/24/2020	<u>32</u>	STATUS REPORT <i>Pursuant to January 21, 2020 Order</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 02/24/2020)

03/04/2020	<u>33</u>	Minute Entry for proceedings held before Judge David C Guaderrama: Docket Call held on 3/4/2020 (Minute entry documents are not available electronically.). (Court Reporter K. Supnet.)(em) (Entered: 03/04/2020)
03/31/2020	<u>34</u>	DESIGNATION OF EXPERT WITNESSES by Robert Moore. (Benoit, Christopher) (Entered: 03/31/2020)
04/03/2020	<u>35</u>	STATUS REPORT <i>DEFENDANTS' APRIL 3, 2020</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 04/03/2020)
04/30/2020	<u>36</u>	DESIGNATION OF EXPERT WITNESSES by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement. (Romero, Manuel) (Entered: 04/30/2020)
05/04/2020	<u>37</u>	NOTICE <i>Parties' May 14, 2020 Status Report</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement re <u>31</u> Order on Motion to Stay,, (Romero, Manuel) (Entered: 05/04/2020)
05/22/2020	<u>38</u>	OMNIBUS ORDER CANCELLING JUNE 2020 DOCKET CALLS IN CIVIL CASES. Signed by Judge David C Guaderrama. (em) (Entered: 05/22/2020)
06/03/2020	<u>39</u>	NOTICE <i>Defendants' June 3, 2020 Status Report</i> by U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Immigration and Customs Enforcement re <u>31</u> Order on Motion to Stay,, (Romero, Manuel) (Entered: 06/03/2020)
06/25/2020	<u>40</u>	MOTION for Protective Order <i>Against Discovery</i> by U.S. Customs and Border Protection. (Attachments: # <u>1</u> Exhibit 1)(Romero, Manuel) (Entered: 06/25/2020)
07/01/2020	<u>41</u>	Unopposed MOTION to Extend Scheduling Order Deadlines by Robert Moore. (Attachments: # <u>1</u> Proposed Order)(Coyle, Lynn) (Entered: 07/01/2020)
07/01/2020	<u>42</u>	Unopposed MOTION to Withdraw <u>40</u> MOTION for Protective Order <i>Against Discovery</i> by U.S. Customs and Border Protection. (Romero, Manuel) (Entered: 07/01/2020)
07/02/2020		Text Order GRANTING <u>42</u> Unopposed Motion to Withdraw. IT IS THEREFORE ORDERED that Defendant CBP's Motion and Memorandum for Protective Order Against Discovery <u>40</u> is hereby WITHDRAWN, without prejudice to refiling. entered by Judge David C Guaderrama. (This is a text-only entry generated by the court. There is no document associated with this entry.) (pc) (Entered: 07/02/2020)
07/02/2020		Text Order WITHDRAWING <u>40</u> Motion for Protective Order. See ECF No. <u>42</u> . entered by Judge David C Guaderrama. (This is a text-only entry generated by the court. There is no document associated with this entry.)(pc) (Entered: 07/02/2020)
07/02/2020	<u>43</u>	ORDER GRANTING <u>41</u> Motion to Extend Scheduling Order Deadlines ; IT IS ORDERED that the deadline for designation of Plaintiff Robert Moores testifying experts is extended from March 31, 2020, see Scheduling Order at 1, ECF No. 25, to the earlier of the following: (1) the date that Plaintiff files a Motion for Summary Judgment; or (2) the date that Plaintiff files a response to Defendants Motion for Summary Judgment. IT IS FURTHER ORDERED that either party may designate rebuttal expert declarations within fifteen (15) days following receipt of any declarations or report of the opposing expert.Signed by Judge David C Guaderrama. (em) (Entered: 07/02/2020)